



PATENT

Attorney Docket No.: PP019813.0003

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karl Shure
Karl Shure

12/10/2008
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mariagrazia Pizza and Vega Massignani

Serial No.: 10/526,125

Confirmation No.: 2934

Filing Date: June 15, 2006

Group Art Unit: 1652

For: MUTANT FORMS OF MENINGOCOCCAL ADP-RIBOSYLATING TOXIN

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on Form PTO/SB/08, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.

12/15/2008 CNGUYEN2 00000013 031664 10526125
01 FC:1806 180.00 DA

- ☐ **before** the mailing date of a first Office Action on the merits.
- ☒ **after** the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
- ☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);
- or**
- ☒ the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
- ☐ No fee is owed by the applicant(s).
- ☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- ☐ **after** the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), (see "Statement," and "Fees" below).
- ☒ Copies of each of the non-U.S. Patent documents listed on the attached Form PTO/SB/08, are enclosed herewith.

EXCEPT THAT:

- ☐ In view of the voluminous nature of reference @@, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached Form PTO/SB/08 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and

Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.

- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Concise Explanation Requirement

- ☐ The "concise explanation" requirement (non-English references) for reference B2 under 37 C.F.R. § 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action..
 - ☐ the English-language abstract provided on the cover page of B2.

Statement under 37 C.F.R. § 1.97(e)

- ☐ The undersigned attorney hereby states that each item contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

Fees

- ☐ No Fee is owed by the applicant(s).
- ☒ The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

Method of Payment of Fees


- ☐ Attached is a check in the amount of \$ _____. This form is submitted in duplicate.
- ☒ Charge Deposit Account No. 03-1664 in the amount of \$180.00. This form is submitted in duplicate.
- ☒ Please charge any deficiency or credit any overpayment to Deposit Account 03-1664.
- ☐ No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,

Dated: _____

Dec 9, 2008

By: _____



Amy Hessler

Registration No. 50,310

NOVARTIS VACCINES AND DIAGNOSTICS, INC.
Intellectual Property Dept. – X100B
4560 Horton Street
Emeryville, CA 94608-2916
Telephone: (510) 923-2192
Facsimile: (510) 655-3542